

Message Text

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PAGE 01 PANAMA 07779 172131Z

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ACTION L-03

INFO OCT-01 ARA-06 ISO-00 AID-05 CIAE-00 COME-00 EB-07

FRB-03 INR-07 NSAE-00 USIA-06 TRSE-00 XMB-02 OPIC-03

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FM AMEMBASSY PANAMA

TO SECSTATE WASHDC IMMEDIATE 6107

C O N F I D E N T I A L PANAMA 7779

FOR ASSISTANT SECRETARY ROGERS FROM AMBASSADOR

E.O. 11652: GDS

TAGS: ELTN, PN

SUBJECT: DARIEN GAP HIGHWAY INJUNCTION

REF: STATE 296832

1. RESPONDING TO REFTTEL, I HAVE JUST DISCUSSED DARIEN HIGHWAY INJUNCTION PROBLEM WITH PRESIDENT LAKAS. I EXPLAINED ELEMENTS OF PROPOSED OUT-OF-COURT SETTLEMENT NOTING IT WOULD PROVIDE FOR IMMEDIATE RESUMPTION OF WORK. BUT I DESCRIBED AS WELL CONCERN FELT BY SOME IN U.S. GOVERNMENT THAT ACCEPTANCE OF OUTLINED SETTLEMENT MIGHT BE VIEWED AS EXECUTIVE BRANCH PARTICIPATION IN JUDICIAL RESTRAINT, AND THUS ACQUIESCENCE IN VIOLATION OF U.S.-PANAMA HIGHWAY AGREEMENT.

2. THE PRESIDENT SAID THAT FROM HIS GOVERNMENT'S VIEWPOINT THE MOST IMPORTANT THING RIGHT NOW, GIVEN THE STRAINED ECONOMIC SITUATION AS WELL AS THE DESIRABILITY OF AVOIDING ANY DISAGREEMENT WITH THE U.S.--IN WHICH WE WOULD CERTAINLY
CONFIDENTIAL

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PAGE 02 PANAMA 07779 172131Z

BE BLAMED FOR ADDING TO THE UNEMPLOYMENT PROBLEM, WAS

TO ARRANGE THINGS SO THAT WORK CAN BE RESUMED ON THE HIGHWAY PROJECT AS SOON AS POSSIBLE. HE POINTED OUT HIS WINDOW AT THE GLARING SUNSHINE AND NOTED THAT THE DRY SEASON WAS UPON US--AND THUS THE TIME FOR COMMENCING HIGHWAY WORK.

3. HE SAID HE UNDERSTOOD THE CONCERN I HAD DESCRIBED REGARDING SEEMING U.S. COMPLIANCE IN JUDICIAL RESTRAINT OVER INTERNATIONAL AGREEMENTS. HE SAID HE THOUGHT THAT WAS AN INTERNAL MATTER FOR OUR GOVERNMENT. HE KNEW FROM EXPERIENCE, HE SAID, THAT THE U.S. NEVER LIGHTLY AVOIDED ITS OBLIGATIONS TO OTHERS AND HE FELT CERTAIN WE WOULD BE ABLE TO WORK THIS LONGER-RANGE PROBLEM OUT TO OUR MUTUAL SATISFACTION. MEANTIME, HE SAID, LET'S GET THE MEN TO WORK.

4. I GAVE IT AS MY OWN VIEW THAT THE PROPOSED SETTLEMENT WOULD NOT IN ANY WAY VIOLATE OUR INTERNATIONAL AGREEMENT FOR HIGHWAY CONSTRUCTION. I ASSURED HIM WE WOULD BE WORKING HARD TO STRAIGHTEN OUT THE LONGER-RANGE PROBLEMS, NOTING THAT OUR FRIENDS IN DOT FELT THEY COULD COMPLETE THE REQUIRED ENVIRONMENTAL IMPACT STUDY BY JULY 1. I THANKED THE PRESIDENT AND TOLD HIM I WOULD CONVEY HIS GOVERNMENT'S VIEWS TO WASHINGTON IMMEDIATELY.
JORDEN

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